

### **REMARKS**

This is in response to the Office Action dated November 21, 2007. A Petition for Extension of Time is filed herewith to extend the period of response to May 21, 2008. The fee of \$1,050.00 to cover the required extension fee for a large entity is paid on line via an authorized credit card.

In the subject Action, claims 1-23 were rejected. Claims 1-23 remain pending in the present application. In light of the following remarks, Applicants respectfully request withdrawal of the rejections and advancement of this application to allowance.

#### **Rejections under § 103**

##### **A. Claims 1-4, 6 and 10**

Claims 1-4, 6 and 10 were rejected under §103(a) as being unpatentable over Stemler (U.S. Patent No. 4,709,435) in view of Hertweck (U.S. Patent No. 6,434,903). Applicants respectfully traverse this rejection.

First, claim 1 recites, in part, a strengthening component in the form of an inverted channel member secured to the base component, with the channel member including two opposed side walls formed from web components and a top formed from a chord component, and with the web and top chord components being manufactured as separate components and thereafter assembled together to form the channel member.

In contrast, Stemler fails to disclose or suggest such an inverted channel member recited in claim 1. Rather, Stemler discloses a typical ribbed extrusion 14 with a web 18 and a rib 20 projecting outwardly from each end thereof. See Stemler, col. 4, ll. 35-37; Fig. 2. The ribs typically extend outwardly from the web 18 at an inside angle of slightly greater than 90 degree. Id. at col. 4, ll. 37-39. Therefore, Stemler does not disclose or suggest an inverted channel member including two opposed side walls formed from web components and a top formed from a chord component, as required in claim 1.

Hertweck also fails to disclose or suggest an inverted channel member including two opposed side walls formed from web components and a top formed from a chord component.

Second, claim 1 further recites a base component that includes a central pan and lap joints on each side of the pan to enable adjacent main decking panels to be positioned side by side in overlapping relationship.

In contrast, as acknowledged in section 2 of the Office Action, Stemler fails to disclose or suggest such a limitation of claim 1.

Hertweck also fails to disclose or suggest a base component that includes a central pan and lap joints on each side of the pan to enable adjacent main decking panels to be positioned side by side in overlapping relationship. Rather, Hertweck discloses a ceiling support section in the form of a hat having a center part 11. See Hertweck, col. 4, ll. 23-25; Fig. 1. Each section leg has outwardly-pointing fastening flanges 13. Id. at col. 4, ll. 33-34. Along the outer edges of fastening flanges 13, edge flanges 15 extending from fastening flanges 13 lengthwise are raised upright in the direction of the center part 11. Id. at col. 4, ll. 36-39. Ceiling support sections 10 are mounted with their center parts 11 pointing downwardly and are screwed with their fastening flanges 13 to abut anchoring base 17. Id. at col. 4, ll. 42-46; Fig. 3. After ceiling support section 10 has been screwed on, edge flanges 15 can be bent into a safety or securing position. Id. at col. 4, ll. 53-56; Fig. 3. Hertweck has no disclosure of lap joints on each side of the pan to enable adjacent main decking panels to be positioned side by side in overlapping relationship, as recited in claim 1.

Finally, Applicants respectfully submit that there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the alleged teaching of Stemler with the alleged teaching of Hertweck such as to render obvious claims 1-4, 6 and 10. Specifically, Stemler is directed to a bridge deck system for attaching a prefabricated bridge deck panel to a bridge structure. On the other hand, Hertweck is directed to a section that can be fixed to an anchoring base by means of fastening screws. There is no suggestion or motivation for a person skilled in the art to look at the disclosure in Hertweck as being in any way relevant to the bridge deck system disclosed in Stemler.

Therefore, reconsideration and allowance of claim 1 are respectfully requested because there is no suggestion or motivation for combining the cited references. Even if it were proper to

combine the cited references, the combination fails to disclose or suggest all limitations of claim

1. Claim 1 should be allowable.

Claims 2-4, 6 and 10 are dependent claims and so are also believed to be allowable over the art of record. Applicants respectfully request reconsideration and withdrawal of the pending rejection.

**B. Claim 5, 7-9, and 11-23**

Next, the Examiner made the following § 103 rejections:

- Claim 5 was rejected as being unpatentable over Stemler in view of Hertweck and further in view of Holmgren (U.S. Patent No. 3,583,123);
- Claims 7-9 were rejected as being unpatentable over Stemler in view of Hertweck and further in view of Stohs (U.S. Patent No. 4,726,159);
- Claims 11-14 were rejected as being unpatentable over Stemler in view of Hertweck and further in view of Ryan (U.S. Patent No. 4,453,349);
- Claims 15-17 and 20 were rejected as being unpatentable over Stemler in view of Hertweck and further in view of Gray (U.S. Patent No. 4,594,826);
- Claims 18-19 were rejected as being unpatentable over Stemler in view of Hertweck and further in view of Albrecht (U.S. Patent No. 4,962,622; hereinafter “Albrecht I”); and
- Claims 21-23 were rejected as being unpatentable over Stemler in view of Hertweck and further in view of Albrecht (U.S. Patent No. 4,085,558; hereinafter “Albrecht II”).

Applicants respectfully traverse these rejections.

As discussed above, independent claim 1 is patentable over Stemler and Hertweck. Holmgren, Stohs, Ryan, Gray, Albrecht I and/or Albrecht II do not overcome deficiencies of Stemler and Hertweck with respect to claim 1. Dependent claims 5, 7-9, and 11-23 add additional limitations. Thus, dependent claims 5, 7-9, and 11-23 are also believed to be allowable over the art of record. Applicants do not otherwise concede the correctness of the

Examiner's rejection and reserve the right to make additional arguments as may be necessary.

Applicants respectfully request reconsideration and withdrawal of the rejections.

**Conclusion**

This response is believed to be responsive to all points raised in the Office Action. Accordingly, Applicant respectfully requests reconsideration and allowance of all of the currently pending claims. Should the Examiner have any remaining questions or concerns, the Examiner is urged to contact the undersigned attorney at (612)336.4755 to discuss the same.

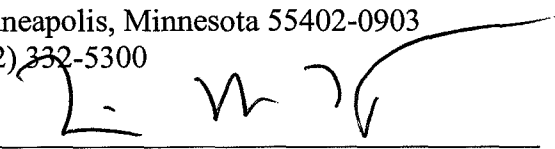
Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 13-2725.



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Respectfully submitted,

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